



## Legislation Details (With Text)

**File #:** 1589-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/19/2023      **In control:** Zoning Committee

**On agenda:** 6/5/2023      **Final action:** 6/9/2023

**Title:** To rezone 3245 E. 5TH AVE. (43219), being 1.60± acres located on the south side of East 5th to Stelzer Road, 450± feet west of Stelzer Road, From: R-4, Residential District, To: M, Manufacturing District (Rezoning #Z22-098).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#1589-2023\_Attachments, 2. ORD#1589-2023\_Labels

Date	Ver.	Action By	Action	Result
6/9/2023	1	CITY CLERK	Attest	
6/8/2023	1	MAYOR	Signed	
6/5/2023	1	COUNCIL PRESIDENT	Signed	
6/5/2023	1	Zoning Committee	Waive the 2nd Reading	Pass
6/5/2023	1	Zoning Committee	Approved	Pass

### Rezoning Application: Z22-098

**APPLICANT:** CALKAR LLC; c/o Donald T. Plank, Atty.; Plank Law Firm; 411 East Town Street, 2nd Floor; Columbus, OH 43015.

**PROPOSED USE:** Manufacturing development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on May 11, 2023.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The 1.60± acre site consists of portions of six commonly owned parcels zoned in the R-4, Residential District. Two of the parcels are undeveloped, and four contain an existing office building, parking and access area, and vehicle storage for the existing business. Part of the site is subject to Ordinance #1186-94 (CV94-009) which permitted an office building in the R-4, Residential District while a rezoning to the C-2, Commercial District was pending, but was not completed. The proposed M, Manufacturing District will permit all less objectionable manufacturing uses, including vehicle storage at this location, and will conform the existing use. The site is located within the boundaries of the *East Columbus Neighborhood Plan* (2012), which recommends "Light Industrial" land uses at this location. Additionally, part of the site is located within the boundaries of the I-670 Graphics Control Overlay. Staff is supportive of the requested M, Manufacturing District as it results in the zoning map accurately reflecting the existing manufacturing and storage uses, and is consistent with the Plan's recommendation for light industrial land uses at this location.

To rezone **3245 E. 5TH AVE. (43219)**, being 1.60± acres located on the south side of East 5th to Stelzer Road, 450± feet west of Stelzer Road, **From:** R-4, Residential District, **To:** M, Manufacturing District (Rezoning #Z22-098).

**WHEREAS**, application #Z22-098 is on file with the Department of Building and Zoning Services requesting rezoning of 1.60± acres from R-4, Residential District, to M, Manufacturing District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested M, Manufacturing District will permit all less objectionable manufacturing uses including vehicle storage and is consistent with the *East Columbus Neighborhood Plans* land uses recommendation, and will not introduce incompatible uses to the area; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**3245 E. 5TH AVE. (43219)**, being 1.60± acres located on the south side of East 5th to Stelzer Road, 450± feet west of Stelzer Road, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 1, Range 17 and being out of a 3.059 acre tract of land as conveyed to Calkar LLC, of record in Instrument Number 201406270082381, out and out of Lots 5, 6, and 7 of that plat entitled Bryan and Co's East Fifth Avenue Additions No. 1 and No. 2, of record in Plat Book 17, Page 102, and conveyed to Calkar LLC, of record in Instrument Number 201406270082381, all of that 0.106 acre tract of land conveyed to Calkar LLC, of record in Instrument Number 202212140167966 and all of that 0.032 acre tract of land conveyed to Calkar LLC, all deed references are on record at the Recorder's Office of Franklin County, Ohio and described as follows:

**BEGINNING** at a point in the westerly line of a 2.776 acre tract of land as conveyed to Calkar LLC, of record in Instrument Number 201406270082381 and being the northeast corner of a 1.251 acre tract of land as conveyed to Calkar LLC, of record in Instrument Number 201406270082381;

Thence South 89°56'58" West, with the northerly line of said 1.251 acre tract and through said 3.059 acre tract, a distance of 607.31 feet to a point in the easterly line of Reserve "B" of said Bryan and Co's East Fifth Avenue Additions No. 1 and No. 2;

Thence North 0°03'00" West, with said easterly line, a distance of 3.35 feet to the northeasterly corner of said Reserve "B" and being the southeasterly corner of said 0.032 acre tract;

Thence North 90°00'00" West, with the northerly line of said Reserve "B", a distance of 92.82 feet to a point in the easterly line of a 15 foot alley;

Thence North 00°00'00" East, with the easterly line of said alley and with the westerly line of Lot 3 of said Bryan and Co's East Fifth Avenue Additions No. 1 and No. 2, a distance of 139.36 feet to the northwesterly corner thereof and a point in the southerly right of way line of East 5th Avenue;

Thence North 89°56'00" East, with the northerly lines of Lot 3, Lot 4, said southerly right of way line and through said 3.059 acre tract a distance of 173.24 feet to a point;

Thence South 78°03'59" East, continuing through said 3.059 acre tract, through Lot 5, Lot 6 and Lot 7 of said Bryan and Co's East Fifth Avenue Additions No. 1 and No. 2, a distance of 476.85 feet to a point in the westerly line of Lot 8 of said Bryan and Co's East Fifth Avenue Additions No. 1 and No. 2;

Thence South 0°38'01" East, with said westerly line, a distance of 28.87 feet to the southwesterly corner thereof and being in the northerly line of said 0.106 acre tract;

Thence North 89°56'58" East, with said southerly line and the northerly line of said 0.106 acre tract, a distance of 60.10 feet to a point in the westerly line of said 2.776 acre tract;

Thence South 0°14'00" West, with the westerly line of said 2.776 acre tract, a distance of 14.97 feet to the **POINT OF BEGINNING** and containing 1.6 +/- acres of land, more or less;

This description was prepared from existing records for zoning purposes and is not intended for deed transfer purposes.

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 3, Township 1, Range 17 and being all of that 0.006 acre tract of land as conveyed to Columbia Gas of Ohio Inc., of record in Deed Book 2542, Page 456, all deed references are on record at the Recorder's Office of Franklin County, Ohio and described as follows:

Beginning for Reference at the southeasterly corner of a 0.032 acre tract of land conveyed to Calkar LLC,

Thence North 0°03'00" West, with the easterly line of said 0.032 acre tract and with the easterly line of said Lot 4, a distance of 28.02 feet to the **TRUE POINT OF BEGINNING**;

Thence North 0°02'17" West, with said easterly line, a distance of 15.00 feet to a point;

Thence through said 3.059 acre tract the following courses:

North 84°55'56" East, a distance of 15.54 feet to a point;

South 00°01'12" East, a distance of 16.51 feet to a point;

North 89°27'26" West, a distance of 15.48 feet to the **POINT OF BEGINNING** and containing 0.006 +/- acres of land, more or less;

This description was prepared from existing records for zoning purposes and is not intended for deed transfer purposes.

Property Address: 3245 East 5th Avenue

**To Rezone From:** R-4, Residential District,

**To:** M, Manufacturing District.

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the M, Manufacturing District on this property.

**SECTION 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

**SECTION 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.